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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/875,331	06/05/2001	Garth F. Schmeling	10007050-1	7522

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EXAMINER

DELGADO, MICHAEL A

ART UNIT	PAPER NUMBER
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2144

DATE MAILED: 10/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/875,331

Applicant(s)

SCHMELING ET AL.

Examiner

Michael S. A. Delgado

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 05 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-26 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent Application Publication No. 2002/0065872 by Genske et al.

In claim 1, Genske teaches about a device management system for use with a computer network, the system comprising (Fig 4):

a server “host” configured to execute a management application, the server being configured to connect to the network (Page 2, paragraph 11, lines 5-11) (Page 2, paragraph 12, lines 3-13); and

a device configured to announce its presence to the management application on the server upon connection of the device to the network (Page 2, paragraph 11, lines 5-11).

In claim 2, Genske teaches about a system of claim 1, further including an agent/codelet “probe software” pair including an agent “application uploaded to host” and a codelet, wherein the device is configured to execute the codelet and the management application is configured to execute the agent, and the agent and codelet are configured to communicate with each other via the network to achieve a predetermined function (Page 2, paragraph 11, lines 5-11).

In claim 3, Genske teaches about a system of claim 2, wherein the agent/codelet pair are preinstalled on the device prior to installation of the device on the network (Page 2, paragraph 11, lines 5-11).

In claim 4, Genske teaches about a system of claim 2, wherein the device is configured to upload the agent to the management application, after announcing its presence to the management application. (Page 2, paragraph 11, lines 1-11).

In claim 5, Genske teaches about a system of claim 2, wherein the management application is configured to contact an agent/codelet source and download a new version of the agent/codelet pair (Page 2, paragraph 12, line 5- paragraph 13, line 6).

In claim 6, Genske teaches about a system of claim 5, whereupon after downloading a new version of the agent to the management server, the management application upgrades the agent stored on the management server and the codelet stored on the device (Page 2, paragraph 12, line 5- paragraph 13, line 6).

In claim 7, Genske teaches about a system of claim 1, wherein, in response to a command from a user, the management application is configured to adjust settings on the device (Page 2, paragraph 11, lines 1-12).

In claim 8, Genske teaches about a system of claim 7, wherein the management application is configured to adjust the settings on the device by adding, deleting or upgrading a codelet on the device (Page 2, paragraph 13, lines 1-20).

In claim 9, Genske teaches about a system of claim 1, wherein the management application is configured to enable a user to set a policy setting that governs an operation on the device (Page 14, paragraph 139, lines 1-6).

In claim 10, Genske teaches about a system of claim 9, wherein the policy setting relates to an operation selected from a group consisting of addition, deletion, and upgrade of a codelet on the device (Page 2, paragraph 12, line 5- paragraph 13, line 6).

In claim 11, Genske teaches about a system of claim 1, wherein in response to a command from a user, the management application is configured to subscribe to notifications of changes to a codelet on the device (Page 2, paragraph 11, lines 1-12).

In claim 12, Genske teaches about a system of claim 1, further comprising a plurality of devices configured to connect to the network and communicate with the management application, wherein in response to a command from a user, the management application is configured to batch configure a set of the plurality of devices (Page 2, paragraph 11, lines 1-12).

In claim 13, Genske teaches about a system of claim 1, wherein in response to a command from a user, the management application is configured to query the device for settings, and to display those settings to the user (Page 4, paragraph 35, lines 8-15).

In claim 14, Genske teaches about a system of claim 13, wherein the management application is configured to apply a transformation rule to determine a subset of devices having a user-requested parameter, and display the settings of the subset of devices to the user (Page 2, paragraph 12, lines 3-14).

In claim 15, Genske teaches about a system of claim 14, wherein the transformation rule is selected from the group consisting of consolidate, except, coalesce, and exclude a user-requested parameter (Page 2, paragraph 12, lines 3-14).

In claim 16, Genske teaches about a system of claim 15, wherein the user-requested parameter to which the transformation rule is applied is selected from the group consisting of a user requested parameter, a device class, an alterable device setting, and a static device setting (Page 2, paragraph 12, lines 3-14).

In claim 17, Genske teaches about a system of claim 1, wherein in response to a command from the user, the management application is configured to adjust the settings on a predetermined device or set of devices (Page 2, paragraph 11, lines 1-11).

In claim 18, Genske teaches about a device management system for use with a computer network, the system comprising (Fig 4):

a management server "Host" configured to execute a management application, the server being configured to connect to the network (Page 2, paragraph 11, lines 5-11); and

a device including an embedded application server configured to serve embedded web content, wherein embedded application server of the device is configured to contact the management application of the management server and communicate the embedded web content to the management application automatically upon connection of the device to the network (Page 2, paragraph 11, lines 5-11) (Page 8, paragraph 71, lines 1-20).

In claim 19, Genske teaches about a device management system for use with a computer network, the system comprising (Fig 4):

a management server configured to execute a management application, the management server being configured to connect to the network (Page 2, paragraph 11, lines 5-11); and

a device configured to connect to the network and communicate with the management application, the device including an embedded server and at least one agent/codelet pair having an agent and a codelet, wherein the embedded server is configured to automatically upload the

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agent to the management application of the management server (Page 2, paragraph 11, lines 5-11);

wherein the management application is configured to install the agent at the management server (Page 2, paragraph 11, lines 5-11); and

wherein, after installation of the agent at the management server, the agent and the codelet are configured to communicate with each other to achieve a predetermined functionality (Page 2, paragraph 11, lines 11-20).

In claim 20, Genske teaches about a method for managing one or more devices connected to a computer network, the method comprising (Fig 4):

in response to connection of a device to the network, sending a message from an embedded server on the device to a management application on a management server via a well-known address, thereby announcing the presence of the device on the network (Page 2, paragraph 12, lines 3-13).

In claim 21, Genske teaches about a method of claim 20, further comprising, preconfiguring the device with an agent/codelet pair (Page 2, paragraph 11, lines 5-11).

In claim 22, Genske teaches about a method of claim 21, further comprising, sending the agent from the device to the management server (Page 2, paragraph 11, lines 5-11).

In claim 23, Genske teaches about a method of claim 22, further comprising setting a policy from the management application governing codelet operations on the device “capabilities” (Page 14, paragraph 139, lines 1-6).



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In claim 24, Genske teaches about a method of claim 22, further comprising subscribing from the management application for notifications of codelet changes on the device (Page 2, paragraph 12, lines 3-13).

In claim 25, Genske teaches about a method for managing devices on a computer network, the system comprising (Fig 4):

connecting a device to a network, the device including an embedded server and at least one agent/codelet pair having an agent and a codelet, wherein the embedded server is configured to automatically upload the agent of the agent/codelet pair to a management application of a management server connected to the network (Page 2, paragraph 11, lines 5-11);

sending the agent from the device to the management server (Page 2, paragraph 11, lines 5-11);

installing the agent at the management server (Page 2, paragraph 11, lines 5-20);

communicating between the agent installed at the management server and the codelet on the device (Page 2, paragraph 11, lines 5-11).

In claim 26, Genske teaches about a program storage apparatus readable by a machine, the storage apparatus tangibly embodying a program of instructions executable by the machine to perform a method for use in utilizing a print service, the method comprising (Page 3, paragraph 21, lines 1-20):

in response to connection of a device to a network, sending a message from an embedded server on the device to a management application! on a management server via a well-known

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address, thereby announcing the presence of the device on the network (Page 2, paragraph 11, lines 5-11).

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US patent no. 6,757,747 by Hooper, teaches about a proxy object for managing an application instance on a dataless client machine.

US patent PUB. no. 2002/0103850 by Moyer et al, teaches about a system and method for out-sourcing the functionality of session initiation protocol (SIP) user agents to proxies.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael S. A. Delgado whose telephone number is (571) 272-3926. The examiner can normally be reached on 7.30 AM - 5.30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM A CUCHLINSKI JR can be reached on (571) 272-3925.


The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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